

AMENDED IN ASSEMBLY SEPTEMBER 2, 2003

AMENDED IN ASSEMBLY AUGUST 18, 2003

AMENDED IN ASSEMBLY JUNE 23, 2003

AMENDED IN SENATE JUNE 3, 2003

AMENDED IN SENATE APRIL 8, 2003

AMENDED IN SENATE MARCH 6, 2003

## SENATE BILL

**No. 60**

**Introduced by Senator Cedillo**

**(Principal coauthor: Senator Murray)**

**(Coauthors: Senators Alarcon, Ducheny, Escutia, Kuehl,  
Romero, Soto, and Vasconcellos)**

(Coauthors: Assembly Members Berg, Bermudez, Calderon, Chan,  
Chu, Diaz, Dutra, Firebaugh, *Goldberg*, Hancock, Kehoe, Koretz,  
Lieber, Longville, Montanez, Mullin, Nunez, Oropeza, *Reyes*, and  
Salinas)

January 15, 2003

---

An act to amend Sections 1653.5, 12800, 12801, 12801.5, *12814.5*,  
and 13000 of, and to add Sections ~~12800.8, 12800.85, 12800.9,  
~~12801.2, 12801.9, and 13003.5 to, the~~ *12801.2 and 12801.9 to, the*  
Vehicle Code, relating to vehicles.~~

### LEGISLATIVE COUNSEL'S DIGEST

SB 60, as amended, Cedillo. Vehicles: social security account  
number: driver's licenses: identification cards.

(1) Under existing law, every form prescribed by the Department of  
Motor Vehicles for use by an applicant for the issuance or renewal by

the department of a driver's license or identification card is required to contain a section for the applicant's social security account number. Existing law requires an applicant who submits one of those forms to the department to furnish the appropriate number in the space provided. Existing law prohibits the department from completing an application that does not include the applicant's social security account number. Existing law prohibits the department from including an applicant's social security account number on a driver's license, identification card, registration, certificate of title, or any other document issued by the department. Existing law declares that information obtained by the department regarding an applicant's social security account number is not a public record and prohibits the department from disclosing that information except in specified circumstances.

This bill would require those forms to contain a section for the applicant's social security account number, federal individual taxpayer identification number, or other identifier or number that is deemed appropriate by the department. The bill would allow an applicant for a driver's license or identification card who is presently not eligible for a social security account number, but who submits a specified affidavit signed under penalty of perjury, and a federal individual taxpayer identification number or other number or identifier that is deemed appropriate by the department, to submit those documents to the department in lieu of a social security account number, and those documents would be acceptable until the applicant obtains a social security account number. The bill would require that applicant upon obtaining a social security account number to provide that social security account number to the department. *The bill would, however, require an application for a commercial driver's license to include the applicant's social security account number.* Because the bill would expand the scope of the crime of perjury, the bill would impose a state-mandated local program.

The bill would also prohibit the department from including an applicant's federal individual taxpayer identification number on a driver's license, identification card, registration, certificate of title, or any other document issued by the department. The bill would declare that information obtained by the department regarding an applicant's federal individual taxpayer identification number is not a public record and would prohibit the department from disclosing that information, except in specified circumstances.



(2) Existing law requires the department to require every applicant for an original driver's license or identification card to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law and prohibits the department from issuing a license or card to a person who does not do so. Existing law requires the department to adopt regulations, including procedures for verifying citizenship or legal residency of applicants for driver's licenses and identification cards.

This bill would repeal those requirements.

The bill would, however, require the department to require an applicant for an original driver's license or identification card to present an identification document acceptable to the department, for the purpose of establishing identity prior to completing that application. The bill would require an applicant who furnishes the department with his or her federal individual taxpayer identification number to present to the department a birth certificate or record of birth, determined to be acceptable by the department, issued by a foreign jurisdiction, and, in addition, one other specified document determined acceptable by the department. The bill would permit an applicant who does not ~~posses~~ *possess* a birth certificate or record of birth to instead present 2 or more of those specified documents.

~~The bill would require an application for a commercial driver's license to include the applicants social security account number.~~

The bill would require all applications for an original or renewal driver's license to contain documentation acceptable to the department showing the applicant is presently residing in this state.

(3) ~~Under existing law, every application for an original or renewal of a driver's license or identification card is required to contain, among other things, a legible print of the thumb or finger of the applicant.~~

~~This bill would require the department to create a biometric identifier, as defined, from the scan or print of an applicant's thumbprint or fingerprint and perform a process of authentication, as defined, in order to ensure that each individual is issued only one driver's license or identification card. The bill would allow the department to engage in biometric authentication only if certain conditions are met. The bill would impose various duties on the department with regards to adopting and implement procedures for restricting access to information collected pursuant to these provisions, maintaining records of requests for access, and posting notices regarding these procedures. The bill would authorize the department to produce information collected under~~



~~these provisions pursuant to a court ordered subpoena or summons. The bill would authorize the department to transmit the information collected under these provisions to 3rd parties with whom the department has a bona fide business relationship in order to carry out the purposes of these provisions if certain specified conditions are met. The bill would impose various duties on the 3rd party to adopt procedures restricting access to biometric identifiers. Because a violation of this provision would constitute an infraction under existing provisions of law, this bill would impose a state-mandated local program by expanding the definition of a crime. The bill would require the department to impose procedures restricting access to these identifiers and to impose various civil penalties on any person who negligently or willfully violates these provisions, and would authorize any person aggrieved by a violation of these provisions to seek civil remedies. The bill would require the Bureau of State Audits to monitor the use of biometric data to ensure compliance with these provisions and to submit, on April 1, 2006, and each April 1 thereafter, an evaluation and recommendations to the Judiciary Committees of the Legislature.~~

*Existing law authorizes the department to establish a program to renew driver's licenses by mail, for licensees not holding a probationary license, and whose records meet certain requirements for the 2 years immediately preceding the determination of eligibility for the renewal.*

*This bill would provide that notwithstanding any other provision of this bill or any other provision of law, an individual eligible to renew a driver's license by mail pursuant to this program is not required to personally appear at a department office for purposes of obtaining that renewal.*

*(4) The bill would require the Department of Justice, in consultation with the Department of Motor Vehicles and other interested parties, to study the cost, feasibility, technological capacity, and privacy implications for developing a biometrics system that guarantees that applicants for a driver's license or identification card are issued only one driver's license or identification card. The bill would require the Department of Justice on or before January 1, 2005, to report the findings of the study to the Legislature.*

*(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*



This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1653.5 of the Vehicle Code is amended  
2 to read:

3 1653.5. (a) Every form prescribed by the department for use  
4 by an applicant for the issuance or renewal by the department of  
5 a driver's license or identification card pursuant to Division 6  
6 (commencing with Section 12500) shall contain a section for the  
7 applicant's social security account number, federal individual  
8 taxpayer identification number, or other number or identifier  
9 deemed appropriate by the department under paragraph (2) of  
10 subdivision (a) of Section 12801.

11 (b) Every form prescribed by the department for use by an  
12 applicant for the issuance, renewal, or transfer of the registration  
13 or certificate of title to a vehicle shall contain a section for the  
14 applicant's driver's license or identification card number.

15 (c) A person who submits to the department a form that,  
16 pursuant to subdivision (a), contains a section for the applicant's  
17 social security account number, federal individual taxpayer  
18 identification number, or other number or identifier deemed  
19 appropriate by the department under paragraph (2) of subdivision  
20 (a) of Section 12801, or pursuant to subdivision (b), the applicant's  
21 driver's license or identification card number, if any, shall furnish  
22 the appropriate number or identifier in the space provided.

23 (d) (1) The department shall not complete an application for  
24 the issuance or renewal by the department of a driver's license or  
25 identification card pursuant to Division 6 (commencing with  
26 Section 12500) that does not include one of the following:

27 (A) The applicant's social security account number.

28 (B) Subject to paragraph (2) of subdivision (a) of Section  
29 12801, a federal individual taxpayer identification number.

30 (C) Subject to paragraph (2) of subdivision (a) of Section  
31 12801, a number or identifier that is determined to be appropriate  
32 by the department.

(2) The department shall not complete an application for the issuance or transfer of the registration or certificate of title to a vehicle that does not include one of the following:

(A) The applicant's driver's license number.

(B) The applicant's identification card number.

(e) An applicant's social security account number or federal individual taxpayer identification number shall not be included by the department on a driver's license, identification card, registration, certificate of title, or any other document issued by the department.

(f) Notwithstanding any other provision of law, information regarding an applicant's social security account number, federal individual taxpayer identification number, or any other information collected under Section 12801 *or* 12801.5, obtained by the department pursuant to this section, is not a public record and may not be disclosed by the department except for any of the following purposes:

(1) Responding to a request for information from an agency operating pursuant to, and carrying out the provisions of, Part A (Aid to Families with Dependent Children), or Part D (Child Support and Establishment of Paternity), of Subchapter IV of Chapter 7 of Title 42 of the United States Code.

(2) Implementation of Section 12419.10 of the Government Code.

(3) Responding to information requests from the Franchise Tax Board for the purpose of tax administration.

SEC. 2. Section 12800 of the Vehicle Code is amended to read:

12800. Every application for an original or a renewal of a driver's license shall contain all of the following information:

(a) The applicant's true full name, age, sex, mailing address, residence address, social security account number, federal individual taxpayer identification number, or other number or identifier number deemed appropriate by the department under paragraph (2) of subdivision (a) of Section 12801.

(b) A brief description of the applicant for the purpose of identification.

~~(c) A legible print or prints of the thumb, finger, or any combination thereof requested by the department, of the applicant.~~

(c) A legible print of the thumb or finger of the applicant.

1 (d) The type of motor vehicle or combination of vehicles the  
2 applicant desires to operate.

3 (e) Whether the applicant has ever previously been licensed as  
4 a driver and, if so, when and in what state or country and whether  
5 or not the license has been suspended or revoked and, if so, the date  
6 of and reason for the suspension or revocation.

7 (f) Whether the applicant has ever previously been refused a  
8 driver's license in this state and, if so, the date of and the reason  
9 for the refusal.

10 (g) Whether the applicant, within the last three years, has  
11 experienced, on one or more occasions, either a lapse of  
12 consciousness or an episode of marked confusion caused by a  
13 condition that may bring about recurrent lapses, or whether the  
14 applicant has a disease, disorder, or disability that affects his or her  
15 ability to exercise reasonable and ordinary control in operating a  
16 motor vehicle upon a highway.

17 (h) Whether the applicant understands traffic signs and signals.

18 (i) Whether the applicant has ever previously been issued an  
19 identification card by the department.

20 (j) Documentation acceptable to the department showing that  
21 the applicant is presently residing in this state. The department  
22 shall develop regulations specifying those documents that are  
23 acceptable for this purpose.

24 (k) Any other information necessary to enable the department  
25 to determine whether the applicant is entitled to a license under this  
26 code.

27 ~~SEC. 3.—Section 12800.8 is added to the Vehicle Code, to read:~~  
28 ~~12800.8.—The department shall create a biometric identifier~~  
29 ~~derived from the print of the thumb or finger of the applicant,~~  
30 ~~collected pursuant to subdivision (c) of Section 12800, and~~  
31 ~~authenticate it to ensure that each individual is issued only one~~  
32 ~~driver's license or identification card.~~

33 ~~SEC. 4.—Section 12800.85 is added to the Vehicle Code, to~~  
34 ~~read:~~

35 ~~12800.85.—As used in this article the following terms have the~~  
36 ~~following meanings:~~

37 (a) ~~“Biometric identifier” means a unique digital code created~~  
38 ~~from a scan or print of a thumb or finger and processed by a~~  
39 ~~cryptographically secure one-way function conforming to the~~  
40 ~~National Institute for Standards and Technology (NIST) Secure~~



1 Hash Standard (Federal Information Processing Standard 180-1),  
2 specifically SHA-256, to provide 128-bit security.

3 (b) “Authentication” means the automated comparison of one  
4 biometric identifier to all or any other biometric identifiers held by  
5 the department.

6 SEC. 5.—Section 12800.9 is added to the Vehicle Code, to read:

7 12800.9. (a) The biometric identifier derived from the  
8 fingerprint or thumbprint collected pursuant to subdivision (c) of  
9 Section 12800 and subdivision (c) of Section 13000 and the  
10 biometric authentication performed pursuant to Sections 12800.8  
11 and 13003.5 shall be kept confidential, and shall solely be used to  
12 ensure that each individual is issued only one driver’s license or  
13 identification card. The fingerprints or thumbprints collected  
14 pursuant to subdivision (c) of Section 12800 and subdivision (c)  
15 of Section 13000 shall be used only in the manner that they were  
16 being used on August 1, 2003, or to effectuate Sections 12800.8  
17 and 13003.5.

18 (b) The department shall engage in biometric authentication  
19 only if all of the following conditions are met:

20 (1) The scan of the thumb or finger collected pursuant to  
21 subdivision (c) of Section 12800 and subdivision (c) of Section  
22 13000 shall be converted to a biometric identifier as soon as  
23 possible after collection. The department shall use technology that  
24 ensures that the biometric identifier cannot be compared to a copy  
25 or reproduction of biometric information not obtained directly  
26 from the individual by the department.

27 (2) Notwithstanding any other provision of law, the department  
28 shall protect all biometric identifiers against unauthorized access  
29 and use and shall store the biometric identifier only in an encrypted  
30 database, and that encryption shall conform to the NIST Advanced  
31 Encryption Standard (Federal Information Processing Standard  
32 197) with 256-bit keys, to provide 128-bit security. Any database  
33 containing a biometric identifier, scan, or other data derived from  
34 a thumb or fingerprint, shall not contain other identifying  
35 information concerning the individual. The department shall use  
36 this database only to determine whether, when an individual seeks  
37 a driver’s license or identification card, that individual’s biometric  
38 identifier is already in the database.

39 (3) Notwithstanding any other provision of law, except as  
40 otherwise provided in subdivisions (c) and (d), the department



1 shall not sell, transmit, exchange, match, or otherwise provide to  
2 third parties including, but not limited to, federal, state, or local  
3 governmental agencies any biometric identifiers, or data  
4 containing the biometric identifiers, in the department's  
5 possession.

6 (4) The department shall adopt and implement additional  
7 procedures restricting access to biometric identifiers, and these  
8 procedures shall be designed to secure that data from tampering  
9 and unauthorized access. These procedures shall include  
10 administrative, technical, and physical safeguards to protect  
11 against any reasonably anticipated threats or hazards to the privacy  
12 of the information, and unauthorized uses or disclosures of the  
13 information. These procedures shall include a substantial civil  
14 penalty for each instance any person is found to have willfully or  
15 negligently violated this section. The department shall reassess on  
16 an annual basis the reasonableness of its protections as well as the  
17 protections employed by third parties with whom the department  
18 contracts in light of technological developments and make  
19 reasonable improvements or contractual changes.

20 (5) The department shall adopt and use a technology system  
21 that ensures that the biometric identifiers created by the  
22 department under this section can be authenticated only with the  
23 biometric identifiers stored by the department.

24 (6) At each location where thumbprints or fingerprints are  
25 gathered, the department shall prominently post notices  
26 explaining that the prints are gathered to create a database for the  
27 department to ensure that each individual is issued only one  
28 driver's license or identification card and third parties including  
29 federal, state, and local government agencies may have access to  
30 the data only pursuant to a court order or other law. The notices  
31 shall also state that biometric identifiers cannot be sold,  
32 transmitted, exchanged, matched, or otherwise provided to third  
33 parties by the department, except pursuant to a court order or other  
34 law.

35 (7) The department shall establish a process whereby an  
36 individual may notify the department of suspected errors in his or  
37 her record, including any biometric identifiers attributed to that  
38 person. The department shall investigate and correct any errors  
39 discovered. This process shall include a procedure for appeals  
40 from department determinations.

~~(c) Nothing in subdivision (b) shall prohibit the authority of the department to authenticate an individual biometric identifier in a civil case pursuant to a court ordered subpoena or summons or upon the request of a law enforcement official pursuant to a warrant issued by a court in relation to an ongoing criminal investigation. The biometric identifier shall not be used for a purpose other than that specified in the court order or subpoena. In any case, the biometric identifier shall not be transferred, electronically or otherwise, by the department, but may be authenticated by the department. A civil subpoena or summons is subject to an order protecting the confidentiality of the biometric identifier.~~

~~(d) Any third party including, but not limited to, a federal, state, or local governmental agency that obtains a biometric identifier or biometric data shall not use those biometric identifiers or data or any information derived from them for any purpose other than for which it was originally sought. Third parties, including, but not limited to, federal, state, or local governmental agencies shall destroy the biometric identifier and data after completion of the purpose for which it was obtained, and the department shall establish a procedure to ensure compliance with these requirements.~~

~~(e) Nothing in this section shall be construed to prevent biometric identifiers from being transmitted electronically through or to third parties with whom the department has a bona fide contractual business relationship solely to ensure that each applicant is issued only one driver's license or identification card, provided that all of the following conditions are met:~~

~~(1) The transmission is for no other purpose.~~

~~(2) The third party adopts procedures restricting access to biometric identifiers, and these procedures are designed to secure that data from tampering and unauthorized access. These procedures shall include administrative, technical, and physical safeguards to protect against any reasonably anticipated threats or hazards to the privacy of the information, and unauthorized uses or disclosures of the information. Biometric data shall be protected from unauthorized use in accordance with the same standards that apply to the department under this article.~~

1 ~~(3) The third party does not transmit the biometric identifier to~~  
2 ~~any other person or agency, except to the extent required to~~  
3 ~~complete the biometric authentication.~~

4 ~~(f) Any civil penalty established under this section may be~~  
5 ~~assessed and recovered in a civil action in the name of the people~~  
6 ~~of the State of California by the Attorney General, city attorneys~~  
7 ~~and district attorneys, or any person aggrieved by the conduct. If~~  
8 ~~the Attorney General brings this action, one-half of the penalty~~  
9 ~~collected shall be paid to the treasurer of the county in which the~~  
10 ~~judgment was entered.~~

11 ~~(g) In addition to civil penalties and any other civil remedy that~~  
12 ~~may be provided by law, any person aggrieved by a violation of~~  
13 ~~this section may seek and obtain injunctive relief and recover~~  
14 ~~damages, and the court shall award reasonable attorney's fees and~~  
15 ~~court costs to a prevailing plaintiff.~~

16 ~~(h) The department shall maintain a record of each request for~~  
17 ~~access to biometric identifiers including the name of the~~  
18 ~~individual, the agency or entity seeking access, the reason for~~  
19 ~~which the access was sought, an explanation of whether the request~~  
20 ~~was granted and what, if any, data was provided. The department~~  
21 ~~shall report this information on an annual basis to the Bureau of~~  
22 ~~State Audits. The Bureau of State Audits shall monitor the use of~~  
23 ~~biometric data to ensure compliance with this section and the~~  
24 ~~effectiveness of this section in protecting consumers, and submit~~  
25 ~~on April 1, 2006, and each April 1, thereafter, a report, based on~~  
26 ~~an audit of the privacy and security of biometric identifiers and~~  
27 ~~databases, containing an evaluation and recommendations to the~~  
28 ~~Judiciary Committees of the Legislature.~~

29 ~~SEC. 6.~~

30 *SEC. 3.* Section 12801 of the Vehicle Code is amended to  
31 read:

32 12801. (a) (1) The department shall require an application  
33 for the issuance or renewal of a driver's license or identification  
34 card by the department to contain one of the following:

35 (A) The applicant's social security account number.

36 (B) Subject to paragraph (2), a federal individual taxpayer  
37 identification number.

38 (C) Subject to paragraph (2), a number or identifier that is  
39 determined to be appropriate by the department.

(2) If an applicant signs an affidavit under penalty of perjury attesting that he or she is presently not eligible for a social security account number and submits a federal individual taxpayer identification number, or other number or identifier that is deemed appropriate by the department, the submission of those documents shall be acceptable to the department in lieu of a social security account number until the applicant obtains a social security account number. Upon obtaining a social security account number, the applicant shall provide the department that number under paragraph (1).

(3) The department shall not complete an application for the issuance or renewal by the department of a driver's license or identification card that does not include one of the following:

(A) The applicant's social security account number.

(B) Subject to paragraph (2), a federal individual taxpayer identification number.

(C) Subject to paragraph (2), a number or identifier that is determined to be appropriate by the department.

(b) Notwithstanding any other law, the social security number or federal individual taxpayer identification number collected on a driver's license or identification card application shall not be displayed on the driver's license or identification card, including, but not limited to, inclusion on a magnetic tape or strip used to store data on the license.

~~SEC. 7.~~

SEC. 4. Section 12801.2 is added to the Vehicle Code, to read:

12801.2. (a) The department shall require every applicant for an original driver's license or identification card to present an identification document acceptable to the department, for *the* purpose of establishing identity prior to completing an application.

(b) Any applicant who furnishes the department with his or her federal individual taxpayer identification number pursuant to Section 1653.5, shall present to the department a birth certificate or record of birth, determined to be acceptable by the department, issued by a foreign jurisdiction, and, in addition, one of the following documents, determined acceptable by the department:

(1) Matricula consular issued by the government of the United States of Mexico.

(2) A passport issued by a foreign jurisdiction.

1 (3) A military identification ~~card~~ *card* bearing the applicant's  
2 photograph, from the county of origin.

3 (4) A driver's license, bearing the applicant's photograph,  
4 issued by a foreign jurisdiction.

5 (5) A driver's license, bearing the applicant's photograph,  
6 issued by another state, possession or territory of the United States.

7 (c) The department may, through regulations, accept  
8 documents in addition to those specified in subdivision (b),  
9 provided that those additional documents accurately confirm the  
10 ~~identify~~ *identity* of the applicant.

11 (d) An applicant who does not possess a birth certificate or birth  
12 record from his or her country of origin may present two or more  
13 of the documents specified in subdivision (b) or referenced in  
14 subdivision (c).

15 (e) An applicant who presents to the department a birth  
16 certificate or record of birth issued by his or her country of origin,  
17 but who does not possess any of the other documents specified in  
18 subdivision (b), may present, in addition to the birth certificate, a  
19 letter from the Consulate General of the applicant's home country  
20 that confirms the authenticity of the birth record.

21 ~~SEC. 8.~~

22 *SEC. 5.* Section 12801.5 of the Vehicle Code is amended to  
23 read:

24 12801.5. (a) Notwithstanding Section 40300 or any other  
25 provision of law, a peace officer may not detain or arrest a person  
26 solely on the belief that the person is an unlicensed driver, unless  
27 the officer has reasonable cause to believe the person driving is  
28 under the age of 16 years.

29 (b) The inability to obtain a driver's license does not abrogate  
30 or diminish in any respect the legal requirement of every driver in  
31 this state to obey the motor vehicle laws of this state, including  
32 laws with respect to licensing, motor vehicle registration, and  
33 financial responsibility.

34 ~~SEC. 9.~~

35 *SEC. 6.* Section 12801.9 is added to the Vehicle Code, to read:

36 12801.9. Notwithstanding any other provision of law, a  
37 commercial driver's license applicant shall include the applicant's  
38 social security account number in the application.

39 ~~SEC. 10.~~

1     SEC. 7. *Section 12814.5 of the Vehicle Code is amended to*  
2 *read:*

3     12814.5. (a) The director may establish a program to  
4 evaluate the traffic safety and other effects of renewing driver's  
5 licenses by mail. Pursuant to that program, the department may  
6 renew by mail driver's licenses for licensees not holding a  
7 probationary license, and whose records, for the two years  
8 immediately preceding the determination of eligibility for the  
9 renewal, show no notification of a violation of subdivision (a) of  
10 Section 40509, a total violation point count not greater than one as  
11 determined in accordance with Section 12810, no suspension of  
12 the driving privilege pursuant to Section 13353.2, and no refusal  
13 to submit to or complete chemical testing pursuant to Section  
14 13353 or 13353.1.

15     (b) The director may terminate the renewal by mail program  
16 authorized by this section at any time the department determines  
17 that the program has an adverse impact on traffic safety.

18     (c) No renewal by mail shall be granted to any person who is  
19 70 years of age or older.

20     (d) (1) The department shall charge a fee of twelve dollars  
21 (\$12) for each noncommercial license renewal and twenty-seven  
22 dollars (\$27) for each commercial license or noncommercial  
23 firefighter license renewal granted pursuant to subdivision (a)  
24 which expires on the fourth birthday following the date of the  
25 application.

26     (2) The department shall charge a fee of fifteen dollars (\$15)  
27 for each noncommercial license renewal and thirty-four dollars  
28 (\$34) for each commercial license or noncommercial firefighter  
29 license renewal granted pursuant to subdivision (a) which expires  
30 on the fifth birthday following the date of the application.

31     (e) The department shall notify each licensee granted a renewal  
32 by mail pursuant to this section of major changes to the Vehicle  
33 Code affecting traffic laws occurring during the prior five-year  
34 period.

35     (f) The department shall not renew a driver's license by mail if  
36 the license has been previously renewed by mail two consecutive  
37 times for five-year periods.

38     (g) *Notwithstanding any other provision of the act that added*  
39 *this subdivision to this section during the 2003 portion of the*  
40 *2003–04 Regular Session or any other provision of law, an*

1 *individual eligible to renew a driver's license pursuant to this*  
2 *section is not required to personally appear at a department office*  
3 *for purposes of obtaining that renewal.*

4 SEC. 8. Section 13000 of the Vehicle Code is amended to  
5 read:

6 13000. (a) The department may issue an identification card  
7 to any person attesting to the true full name, correct age, and other  
8 identifying data as certified by the applicant for ~~such the~~ the  
9 identification card.

10 (b) Any person 62 years of age or older may apply for, and the  
11 department upon receipt of a proper application therefor shall  
12 issue, an identification card bearing the notation "Senior Citizen".

13 (c) Every application for an identification card shall be signed  
14 and verified by the applicant before a person authorized to  
15 administer oaths and shall be supported by bona fide documentary  
16 evidence of the age and identity of the applicant as the department  
17 may require, and shall include a legible print ~~or prints~~ of the thumb  
18 ~~finger, or any combination thereof, as requested by the~~  
19 ~~department, or finger~~ of the applicant.

20 (d) Any person 62 years of age or older, and any other qualified  
21 person, may apply for, or possess, an identification card under the  
22 provisions of either subdivision (a) or (b), but not under both of  
23 those provisions.

24 ~~SEC. 11. Section 13003.5 is added to the Vehicle Code, to~~  
25 ~~read:~~

26 ~~13003.5. (a) The department shall create a biometric~~  
27 ~~identifier derived from the applicant's thumbprints or fingerprints~~  
28 ~~or scans, collected pursuant to subdivision (c) of Section 13000,~~  
29 ~~and authenticate it to ensure that each individual is issued only one~~  
30 ~~identification card.~~

31 ~~(b) The department shall comply with Section 12008.9 in the~~  
32 ~~issuance and reissuance of identification cards and in the use and~~  
33 ~~storage of biometric identifiers.~~

34 ~~SEC. 12.—~~

35 SEC. 9. (a) *The Department of Justice, in consultation with*  
36 *the Department of Motor Vehicles and other interested parties,*  
37 *shall study the cost, feasibility, technological capacity, and*  
38 *privacy implications for developing a biometrics system that*  
39 *guarantees that applicants for a driver's license or identification*  
40 *card are issued only one driver's license or identification card.*



1     **(b)** *On or before January 1, 2005, the Department of Justice*  
2 *shall provide the findings of the study described in subdivision (a)*  
3 *to the Legislature.*

4     **SEC. 10.** No reimbursement is required by this act pursuant  
5 to Section 6 of Article XIII B of the California Constitution  
6 because the only costs that may be incurred by a local agency or  
7 school district will be incurred because this act creates a new crime  
8 or infraction, eliminates a crime or infraction, or changes the  
9 penalty for a crime or infraction, within the meaning of Section  
10 17556 of the Government Code, or changes the definition of a  
11 crime within the meaning of Section 6 of Article XIII B of the  
12 California Constitution.

